

Indiana State Department of Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 012781	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 04/19/2012
NAME OF PROVIDER OR SUPPLIER ADVANTAGE INFUSION GROUP		STREET ADDRESS, CITY, STATE, ZIP CODE 6931 MAYSVILLE RD FORT WAYNE, IN 46815		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
N 000	Initial Comments This was an initial State Licensure survey. Survey date: 4/19/12. Facility #: 012781 Surveyor: Miriam Bennett, RN, BSN, PHNS Census: 4 Quality Review: Joyce Elder, MSN, BSN, RN April 23, 2012	N 000		
N 402	410 IAC 17-10-1(b) Licensure Rule 10 Sec. 1(b) A license is required for any home health agency providing care in Indiana where the parent agency is located in a state other than Indiana. The home health agency must: (1) be authorized by the secretary of state to conduct business in Indiana; and (2) have a branch office located in Indiana. This RULE is not met as evidenced by: Based on interview and review documents, the agency failed to ensure it functioned as an independent licensed agency in Indiana for 1 of 1 agency reviewed. Findings include: 1. In an interview on 4-19-12 at 9:30 A.M., Employee A indicated the agency is a branch of the AlexaCare pharmacy office in Lenexa, KS which is more than 120 minutes driving time from the Fort Wayne, IN agency. .	N 402		

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TITLE

(X6) DATE

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

STATE FORM

6899

RKZY11

If continuation sheet 1 of 27

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N 402	Continued From page 1 2. The Fort Wayne "branch" office does not meet the requirement under IAC (Indiana Administrative Code) 17-9-5: A branch office must be located within one hundred and twenty (120) minutes driving time of the parent agency. Per "Rand McNally" website map, the AlexaCare home office is 623.3 miles or 9 hours and 14 minutes away from Fort Wayne, Indiana. 3. Indiana does not have an agreement with Kansas that would allow a branch of a Kansas agency to provide services in Indiana.	N 402			
N 440	410 IAC 17-12-1(a) Home health agency administration/management Rule 12 Sec. 1(a) Organization, services furnished, administrative control, and lines of authority for the delegation of responsibility down to the patient care level shall be: (1) clearly set forth in writing; and (2) readily identifiable. This RULE is not met as evidenced by: Based on document review and interview, the agency failed to have an organizational chart for 1 of 1 agency. Findings include: 1. Review of agency documents failed to evidence an organizational chart. 2. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy.	N 440			

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N 442	Continued From page 2	N 442			
N 442	<p>410 IAC 17-12-1(b) Home health agency administration/management</p> <p>Rule 12 Sec. 1(b) A governing body, or designated person(s) so functioning, shall assume full legal authority and responsibility for the operation of the home health agency. The governing body shall do the following:</p> <p>(1) Appoint a qualified administrator.</p> <p>(2) Adopt and periodically review written bylaws or an acceptable equivalent.</p> <p>(3) Oversee the management and fiscal affairs of the home health agency.</p> <p>This RULE is not met as evidenced by: Based on document review and interview, the agency failed to ensure the Governing Body accepted policies and bylaws for the agency for 1 of 1 agency.</p> <p>Findings include:</p> <p>1. Review of agency documents failed to evidence any policies. There was no documentation the governing body had reviewed the bylaws.</p> <p>2. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy.</p>	N 442			
N 449	<p>410 IAC 17-12-1(c)(6) Home health agency administration/management</p> <p>Rule 12 Sec. 1(c)(6) The administrator, who may also be the supervising physician or registered nurse required by subsection (d), shall do the following:</p> <p>(6) Ensure that the home health agency meets</p>	N 449			

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N 449	<p>Continued From page 3</p> <p>all rules and regulations for licensure.</p> <p>This RULE is not met as evidenced by: Based on document review and interview, the administrator failed to ensure the agency met all the rules and regulations for licensure for 1 of 1 agency.</p> <p>Findings include:</p> <ol style="list-style-type: none"> 1. The administrator failed to ensure the agency functioned as an independent licensed agency in Indiana. (See N 402) 2. The administrator failed to ensure the agency had an organizational chart. (See N 440) 3. The administrator failed to ensure the Governing Body accepted policies and bylaws for the agency. (See N 442) 4. The administrator failed to ensure there were personnel policies. (See N 458) 5. The administrator failed to ensure employees were evaluated for tuberculosis. (See N 464) 6. The administrator failed to ensure policies were written and implemented for control of communicable diseases. (See N 470) 7. The administrator failed to develop and implement a policy requiring a 5 day notice of discharge. (See N 488) 8. The administrator failed to ensure patients were informed of the patient's rights during the initial visit. (See N 494) 	N 449			

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N 449	<p>Continued From page 4</p> <p>9. The administrator failed to ensure patients were informed that the patient has a right to exercise his or her rights as a patient of the agency. (See N 496)</p> <p>10. The administrator failed to ensure patients were informed of the right to have his or her property treated with respect. (See N 498)</p> <p>11. The administrator failed to ensure patients were informed of the right to voice grievances regarding treatment or regarding the lack of respect for property by anyone who is furnishing services on behalf of the agency and must not be subjected to discrimination or reprisal for doing so. (See N 500)</p> <p>12. The administrator failed to ensure patients were informed of the right to place a complaint with the state agency regarding treatment or care furnished by the agency. (See N 502)</p> <p>13. The administrator failed to ensure patients were informed of the right to be informed about the care to be furnished, any changes in the care to be furnished, the disciplines that will furnish care, and the frequency of visits to be furnished. (See N 504)</p> <p>14. The administrator failed to ensure patients were informed of the right to participate in the planning of care and changes in the care or treatment. (See N 505)</p> <p>15. The administrator failed to ensure patients were informed of the right to a reasonable discharge notice. (See N 506)</p> <p>16. The administrator failed to ensure patients were informed of the right to confidentiality of the</p>	N 449			

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N 449	Continued From page 5 clinical record and the agency policies regarding disclosure of clinical records. (See N 508) 17. The administrator to ensure patients were informed of the right to access the patient's clinical records and of the policies regarding accessibility of records. (See N 510) 18. The administrator failed to ensure patients were informed of the right to be free from verbal, physical, and psychological abuse and to be treated with dignity. (See N 512) 19. The administrator failed to ensure patients were informed that the agency will investigate complaints made by the patient or family and document the existence and resolution of the complaint. (See N 514) 20. The administrator failed to ensure patients were informed of the right to request a listing of all individuals or legal entities who have an ownership or control interest in the agency. (See N 516) 21. The administrator failed to ensure patients were informed of the agency's policies on advance directives and provided a description of applicable state law. (See N 518) 22. The administrator failed to ensure the care periods were 60 days in length and medications were listed on the plan of care. (See N 524) 23. The administrator failed to ensure the time medications were administered was identified. (See N 610)	N 449			
N 458	410 IAC 17-12-1(f) Home health agency administration/management	N 458			

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N 458	Continued From page 6 Rule 12 Sec. 1(f) Personnel practices for employees shall be supported by written policies. All employees caring for patients in Indiana shall be subject to Indiana licensure, certification, or registration required to perform the respective service. Personnel records of employees who deliver home health services shall be kept current and shall include documentation of orientation to the job, including the following: (1) Receipt of job description. (2) Qualifications. (3) A copy of limited criminal history pursuant to IC 16-27-2. (4) A copy of current license, certification, or registration. (5) Annual performance evaluations. This RULE is not met as evidenced by: Based on document review and interview, the agency failed to ensure there were personnel policies for 1 of 1 agency with the potential to affect all employees the agency hires. Findings include: 1. Review of agency documents failed to evidence any personnel policies. 2. On 4/19/12 at 2:15 PM, the administrator indicated they had printed off a copy of a Briggs policy manual with another agency's name on each page and indicated the agency would use that for policies and procedures but apply their own agency label on each page.	N 458			
N 464	410 IAC 17-12-1(i) Home health agency administration/management Rule 12 Sec. 1(i) The home health agency shall	N 464			

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N 464	<p>Continued From page 7</p> <p>ensure that all employees, staff members, persons providing care on behalf of the agency, and contractors having direct patient contact are evaluated for tuberculosis and documentation as follows:</p> <p>(1) Any person with a negative history of tuberculosis or a negative test result must have a baseline two-step tuberculin skin test using the Mantoux method or a quantiferon-TB assay unless the individual has documentation that a tuberculin skin test has been applied at any time during the previous twelve (12) months and the result was negative.</p> <p>(2) The second step of a two-step tuberculin skin test using the Mantoux method must be administered one (1) to three (3) weeks after the first tuberculin skin test was administered.</p> <p>(3) Any person with:</p> <p>(A) a documented:</p> <p>(i) history of tuberculosis;</p> <p>(ii) previously positive test result for tuberculosis; or</p> <p>(iii) completion of treatment for tuberculosis; or</p> <p>(B) newly positive results to the tuberculin skin test;</p> <p>must have one (1) chest radiograph to exclude a diagnosis of tuberculosis.</p> <p>(4) After baseline testing, tuberculosis screening must:</p> <p>(A) be completed annually; and</p> <p>(B) include, at a minimum, a tuberculin skin test using the Mantoux method or a quantiferon-TB assay unless the individual was subject to subdivision (3).</p> <p>(5) Any person having a positive finding on a tuberculosis evaluation may not:</p> <p>(A) work in the home health agency; or</p> <p>(B) provide direct patient contact; unless approved by a physician to work.</p> <p>(6) The home health agency must maintain</p>	N 464			

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N 464	Continued From page 8 documentation of tuberculosis evaluations showing that any person: (A) working for the home health agency; or (B) having direct patient contact; has had a negative finding on a tuberculosis examination within the previous twelve (12) months. This RULE is not met as evidenced by: Based on personnel file review and interview, the agency failed to ensure employees were evaluated for tuberculosis for 1 of 2 employee files reviewed with the potential to affect all the patients and employees of the agency. Findings include: 1. Personnel file B, hire date 2/22/12, failed to evidence tuberculosis evaluation testing for the employee. 2. On 4/19/12 at 1:00 PM, employee A indicated they called employee B to bring a copy of tuberculosis evaluation testing to the agency, but also indicated employee B has not provided care to any patients as of today.	N 464			
N 470	410 IAC 17-12-1(m) Home health agency administration/management Rule 12 Sec. 1(m) Policies and procedures shall be written and implemented for the control of communicable disease in compliance with applicable federal and state laws. This RULE is not met as evidenced by: Based on interview and review of documents, the agency failed to ensure policies were written and implemented for control of communicable	N 470			

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N 470	Continued From page 9 diseases for 1 of 1 agency with the potential to affect all the agency's staff and patients. Findings include: 1. A review of agency documents failed to evidence any policies related to the control of communicable diseases. The agency does not have any policies. 2. On 4/19/12 at 2:15 PM, administrator indicated they had printed off a copy of a Briggs policy manual with another agency's name on each page and indicated the agency would use that for policies and procedures but apply their own agency label on each page.	N 470			
N 488	410 IAC 17-12-2(i) and (j) Q A and performance improvement Rule 12 Sec. 2(i) A home health agency must develop and implement a policy requiring a notice of discharge of service to the patient, the patient's legal representative, or other individual responsible for the patient's care at least five (5) calendar days before the services are stopped. (j) The five (5) day period described in subsection (i) of this rule does not apply in the following circumstances: (1) The health, safety, and/or welfare of the home health agency's employees would be at immediate and significant risk if the home health agency continued to provide services to the patient. (2) The patient refuses the home health agency's services. (3) The patient's services are no longer reimbursable based on applicable reimbursement requirements and the home health agency	N 488			

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N 488	Continued From page 10 informs the patient of community resources to assist the patient following discharge; or (4) The patient no longer meets applicable regulatory criteria, such as lack of physician's order, and the home health agency informs the patient of community resources to assist the patient following discharge. This RULE is not met as evidenced by: Based on interview and review of documents, the agency failed to develop and implement a policy requiring a 5 day notice of discharge for 1 of 1 agency with the potential to affect all the agency's patients. Findings include: 1. A review of agency documents failed to evidence any policies related to discharge. 2. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy.	N 488			
N 494	410 IAC 17-12-3(a)(1)&(2) Patient Rights Rule 12 Sec. 3(a) The patient or the patient's legal representative has the right to be informed of the patient's rights through effective means of communication. The home health agency must protect and promote the exercise of these rights and shall do the following: (1) Provide the patient with a written notice of the patient's right: (A) in advance of furnishing care to the patient; or (B) during the initial evaluation visit before the initiation of treatment. (2) Maintain documentation showing that it has	N 494			

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N 494	Continued From page 11 complied with the requirements of this section. This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed of the patient's rights during the initial visit for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include: 1. Review of agency documents failed to evidence a patient's rights document. 2. Clinical records 1-4 failed to evidence the patient had received a patient's rights document. 3. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 494			
N 496	410 IAC 17-12-3(b) Patient Rights Rule 12 (b) The patient has the right to exercise his or her rights as a patient of the home health agency as follows: (1) The patient's family or legal representative may exercise the patient's rights as permitted by law. This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed that the patient has a right to exercise his or her rights as a patient of the	N 496			

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N 496	Continued From page 12 agency for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include: 1. Review of agency documents failed to evidence a patient's rights document. 2. Clinical records 1-4 failed to evidence the patient had received a patient's rights document. 3. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 496			
N 498	410 IAC 17-12-3(b)(2)(A) Patient Rights Rule 12 (b) The patient has the right to exercise his or her rights as a patient of the home health agency as follows: (2) The patient has the right to the following: (A) Have his or her property treated with respect. This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed of the right to have his or her property treated with respect for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include: 1. Review of agency documents failed to	N 498			

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N 498	Continued From page 13 evidence a patient's rights document. 2. Clinical records 1-4 failed to evidence the patient had received a patient's rights document. 3. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 498			
N 500	410 IAC 17-12-3(b)(2)(B) Patient Rights Rule 12 (b) The patient has the right to exercise his or her rights as a patient of the home health agency as follows: (2) The patient has the right to the following: (B) Voice grievances regarding treatment or care that is (or fails to be) furnished, or regarding the lack of respect for property by anyone who is furnishing services on behalf of the home health agency and must not be subjected to discrimination or reprisal for doing so. This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed of the right to voice grievances regarding treatment or regarding the lack of respect for property by anyone who is furnishing services on behalf of the agency and must not be subjected to discrimination or reprisal for doing so for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include:	N 500			

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(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE	
N 500	Continued From page 14 1. Review of agency documents failed to evidence a patient's rights document. 2. Clinical records 1-4 failed to evidence the patient had received a patient's rights document. 3. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 500			
N 502	410 IAC 17-12-3(b)(2)(C) Patient Rights Rule 12 (b) The patient has the right to exercise his or her rights as a patient of the home health agency as follows: (2) The patient has the right to the following: (C) Place a complaint with the department regarding treatment or care furnished by a home health agency. This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed of the right to place a complaint with the state agency regarding treatment or care furnished by the agency for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include: 1. Review of agency documents failed to evidence a patient's rights document. 2. Clinical records 1-4 failed to evidence the	N 502			

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N 502	Continued From page 15 patient had received a patient's rights document. 3. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 502			
N 504	410 IAC 17-12-3(b)(2)(D)(i) Patient Rights Rule 12 (b) The patient has the right to exercise his or her rights as a patient of the home health agency as follows: (2) The patient has the right to the following: (D) Be informed about the care to be furnished, and of any changes in the care to be furnished as follows: (i) The home health agency shall advise the patient in advance of the: (AA) disciplines that will furnish care; and (BB) frequency of visits proposed to be furnished. This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed of the right to be informed about the care to be furnished, any changes in the care to be furnished, the disciplines that will furnish care, and the frequency of visits to be furnished for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include: 1. Review of agency documents failed to evidence a patient's rights document.	N 504			

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N 504	Continued From page 16 2. Clinical records 1-4 failed to evidence the patient had received a patient's rights document. 3. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 504			
N 505	410 IAC 17-12-3(b)(2)(D)(ii) Patient Rights Rule 12 (b) The patient has the right to exercise his or her rights as a patient of the home health agency as follows: (2) The patient has the right to the following: (D) Be informed about the care to be furnished, and of any changes in the care to be furnished as follows: (ii) The patient has the right to participate in the planning of the care. The home health agency shall advise the patient in advance of the right to participate in planning the following: (AA) The care or treatment. (BB) Changes in the care or treatment. This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed of the right to participate in the planning of care and changes in the care or treatment for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include: 1. Review of agency documents failed to	N 505			

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N 505	Continued From page 17 evidence a patient's rights document. 2. Clinical records 1-4 failed to evidence the patient had received a patient's rights document. 3. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 505			
N 506	410 IAC 17-12-3(b)(2)(D)(iii) Patient Rights Rule 12 (b) The patient has the right to exercise his or her rights as a patient of the home health agency as follows: (2) The patient has the right to the following: (D) Be informed about the care to be furnished, and of any changes in the care to be furnished as follows: (iii) The home health agency shall advise the patient of any change in the plan of care, including reasonable discharge notice. This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed of the right to a reasonable discharge notice for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include: 1. Review of agency documents failed to evidence a patient's rights document. 2. Clinical records 1-4 failed to evidence the	N 506			

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N 506	Continued From page 18 patient had received a patient's rights document. 3. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 506			
N 508	410 IAC 17-12-3(b)(2)(E) Patient Rights Rule 12 Sec. 3(b)(2)(E) (b) The patient has the right to exercise his or her rights as a patient of the home health agency as follows: (2) The patient has the right to the following: (E) Confidentiality of the clinical records maintained by the home health agency. The home health agency shall advise the patient of the agency's policies and procedures regarding disclosure of clinical records. This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed of the right to confidentiality of the clinical record and the agency policies regarding disclosure of clinical records for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include: 1. Review of agency documents failed to evidence a patient's rights document. 2. Clinical records 1-4 failed to evidence the patient had received a patient's rights document.	N 508			

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N 508	Continued From page 19 3. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 508			
N 510	410 IAC 17-12-3(b)(3) Patient Rights Rule 12 Sec. 3(b)(3) (b) The patient has the right to exercise his or her rights as a patient of the home health agency as follows: (3) The patient or patient's legal representative has the right under Indiana law to access the patient's clinical records unless certain exceptions apply. The home health agency shall advise the patient or the patient's legal representative of its policies and procedures regarding the accessibility of clinical records. This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed of the right to access the patient's clinical records and of the policies regarding accessibility of records for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include: 1. Review of agency documents failed to evidence a patient's rights document. 2. Clinical records 1-4 failed to evidence the patient had received a patient's rights document.	N 510			

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N 510	Continued From page 20	N 510			
N 512	<p>410 IAC 17-12-3(b)(4) Patient Rights</p> <p>Rule 12 Sec. 3(b)(4) (b) The patient has the right to exercise his or her rights as a patient of the home health agency as follows: (4) The patient has the right to be as follows: (A) Free from verbal, physical, and psychological abuse. (B) Treated with dignity.</p> <p>This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed of the right to be free from verbal, physical, and psychological abuse and to be treated with dignity for 4 of 4 records reviewed with the potential to affect all the agency's patients.</p> <p>Findings include:</p> <ol style="list-style-type: none"> 1. Review of agency documents failed to evidence a patient's rights document. 2. Clinical records 1-4 failed to evidence the patient had received a patient's rights document. 3. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in 	N 512			

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N 512	Continued From page 21 another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 512			
N 514	410 IAC 17-12-3(c) Patient Rights Rule 12 Sec. 3(c) (c) The home health agency shall do the following: (1) Investigate complaints made by a patient or the patient's family or legal representative regarding either of the following: (A) Treatment or care that is (or fails to be) furnished. (B) The lack of respect for the patient's property by anyone furnishing services on behalf of the home health agency. (2) Document both the existence of the complaint and the resolution of the complaint. This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed that the agency will investigate complaints made by the patient or family and document the existence and resolution of the complaint for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include: 1. Review of agency documents failed to evidence a patient's rights document. 2. Clinical records 1-4 failed to evidence the patient had received a patient's rights document.	N 514			

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N 514	Continued From page 22 3. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 514			
N 516	410 IAC 17-12-3(d) Patient Rights Rule 12 Sec. 3(d) (d) The home health agency shall make available to the patient upon request, a written notice in advance of furnishing care to the patient or during the initial evaluation visit before the initiation of treatment, a listing of all individuals or other legal entities who have an ownership or control interest in the agency as defined in 42 CFR § 420.201, 42 CFR § 420.202, and 42 CFR § 420.206, in effect on July 1, 2005. This RULE is not met as evidenced by: Based on interview and review of documents and records, the agency failed to ensure patients were informed of the right to request a listing of all individuals or legal entities who have an ownership or control interest in the agency for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include: 1. Review of agency documents failed to evidence a patient's rights document. 2. Clinical records 1-4 failed to evidence the patient had received a patient's rights document. 3. On 4/19/12 at 11:30 AM, employee A indicated	N 516			

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N 516	Continued From page 23 they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 516			
N 518	410 IAC 17-12-3(e) Patient Rights Rule 12 Sec. 3(e) (e) The home health agency must inform and distribute written information to the patient, in advance, concerning its policies on advance directives, including a description of applicable state law. The home health agency may furnish advanced directives information to a patient at the time of the first home visit, as long as the information is furnished before care is provided. This RULE is not met as evidenced by: Based on interview and review of records, the agency failed to ensure patients were informed of the agency's policies on advance directives and provided a description of applicable state law for 4 of 4 records reviewed with the potential to affect all the agency's patients. Findings include: 1. Clinical records 1-4 failed to evidence the patient had been notified of the agency's policies on advance directives and provided a description of applicable state law. 2. On 4/19/12 at 11:30 AM, employee A indicated they are under contract with a pharmacy in another state and the paperwork and policies are all provided by the pharmacy. The agency does not admit or discharge patients as the agency will	N 518			

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N 518	Continued From page 24 not be billing Medicaid, Medicare, or insurance, but rather the pharmacy will pay Advantage for providing nurses.	N 518			
N 524	410 IAC 17-13-1(a)(1) Patient Care Rule 13 Sec. 1(a)(1) As follows, the medical plan of care shall: (A) Be developed in consultation with the home health agency staff. (B) Include all services to be provided if a skilled service is being provided. (B) Cover all pertinent diagnoses. (C) Include the following: (i) Mental status. (ii) Types of services and equipment required. (iii) Frequency and duration of visits. (iv) Prognosis. (v) Rehabilitation potential. (vi) Functional limitations. (vii) Activities permitted. (viii) Nutritional requirements. (ix) Medications and treatments. (x) Any safety measures to protect against injury. (xi) Instructions for timely discharge or referral. (xii) Therapy modalities specifying length of treatment. (xiii) Any other appropriate items. This RULE is not met as evidenced by: Based on clinical record review and interview, the Registered Nurse failed to ensure the care periods were 60 days in length and medications were listed on the plan of care for 3 of 4 clinical records reviewed with the potential to affect all the agency's patients. (# 1, 2, and 3) Findings include:	N 524			

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N 524	<p>Continued From page 25</p> <p>1. On 4/19/12 at 12:15 PM, employee A indicated the care periods are provided through which pharmacy the agency contracts and receives orders from. The pharmacy Director of Nursing indicated they are not a Medicare certified facility so they do not follow OASIS dates, just a 60 day period.</p> <p>2. Clinical record #1, start of care date 1/14/11, contained a Plan of Treatment for the care period 2/26-4/26/12. The care period beginning 2/26/12 should have ended on 4/25/12.</p> <p>Physician orders dated 1/12/12 indicated the patient was to receive the medication IVIG 0.4 g/kg daily for 2 days. The Plan of Treatment failed to include the name of the medication to be infused.</p> <p>3. Clinical record #2, start of care date 2/17/12, contained a Plan of Treatment for the care period 2/17-4/17/12. The care period beginning 2/17/12 should have ended on 4/16/12.</p> <p>4. Clinical record #3, start of care date 4/14/10, contained a Plan of Treatment for the care period 2/6/12-4/6/12. The care period beginning 2/6/12 should have ended on 4/5/12.</p>	N 524			
N 610	<p>410 IAC 17-15-1(a)(7) Clinical Records</p> <p>Rule 15 Sec. 1. (a)(7) All entries must be legible, clear, complete, and appropriately authenticated and dated. Authentication must include signatures or a secured computer entry.</p> <p>This REQUIREMENT is not met as evidenced by: Based on clinical record review and interview, the</p>	N 610			

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N 610	<p>Continued From page 26</p> <p>Registered Nurse failed to ensure the time medications were administered was identified for 1 of 4 clinical records reviewed with the potential to affect all the agency's patients. (# 2)</p> <p>Findings include:</p> <ol style="list-style-type: none"> 1. Clinical record #2 contained Patient Visit Notes dated 2/18/12 and 2/19/12 indicated the following medications were given: Benadryl 25 mg IV (Intravenous) Push, Benadryl 25 mg PO (per oral), and Tylenol 1000 mg PO. The notes failed to evidence the time the medications were given. 2. On 4/19/12 at 11:50 AM, employee A indicated they omitted documenting the times the medications were given for patient #2. Also the PO medications were self administered by the patient per Registered Nurse direction on way to patient's home approximately 1 hour prior to nurse arrival. 	N 610			